

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

LEADERSHIP STUDIES, INC., a  
California corporation,

CASE NO. 15-cv-1831-WQH (KSC)  
ORDER

**Plaintiff.**

VS.

## BLANCHARD TRAINING AND DEVELOPMENT, INC.,

Defendant.

HAYES, Judge:

The matter before the Court is the review of the Report and Recommendation (ECF No. 174) issued by the United States Magistrate Judge.

## Background

19 On April 27, 2018, the United States Magistrate Judge issued the Report and  
20 Recommendation, recommending that this Court deny the request by Plaintiff  
21 Leadership Studies for an order imposing discovery sanctions against Defendant  
22 Blanchard Training and Development by excluding the expert report and expert  
23 testimony of Hal Poret. (ECF No. 174).

24 On May 11, 2018, Plaintiff filed objections to the Report and Recommendation.  
25 (ECF No. 190).

26 On May 18, 2018, Defendant filed a response to the objections. (ECF No. 195).

## 1 || Legal Standard

2 The duties of the district court in connection with a report and recommendation  
3 of a magistrate judge are set forth in Federal Rule of Civil Procedure 72(b) and 28  
4 U.S.C. § 636(b). The district judge must “make a de novo determination of those  
5 portions of the report ... to which objection is made,” and “may accept, reject, or  
6 modify, in whole or in part, the findings or recommendations made by the magistrate.”  
7 28 U.S.C. § 636(b).

8 || Ruling of the Court

9 After conducting a *de novo* review of the Report and Recommendation and  
10 considering the objections filed by Plaintiff Leadership Studies, the Court finds that the  
11 Magistrate Judge correctly determined that the request for an order excluding the expert  
12 report and expert testimony of Hal Poret should be denied. The Court adopts the Report  
13 and Recommendation in its entirety.

14 || Conclusion

15 IT IS HEREBY ORDERED that the Report and Recommendation (ECF No.  
16 174) is adopted in its entirety. The Joint motion for Determination of Discovery dispute  
17 (ECF No. 141) is granted and Plaintiff's request for an order imposing discovery  
18 sanctions against Defendant by excluding the expert report and expert testimony of Hal  
19 Poret is denied.

DATED: August 7, 2018

*William Q. Hayes*  
**WILLIAM Q. HAYES**  
United States District Judge